

GOVERNMENT OF ANDRA PRADESH
ABSTRACT

SWD – LA – Nizamabad District - Nizamabad Bheemgal Mandal and Village – Land acquired to an extent of 38034.34 Sq.Yds bearing Sy.No. 393 for providing house sites to the weaker section's people – Release of half of the decretal charges as per orders of Hon'ble High Court in LAASMPNO.1520/2008 in LAAS NO. 573/2008 in OP No.1198/2000 – Sanction of Rs.79,10,711/- towards payment of half of the decretal charges.– Orders – Issued.

SOCIAL WELFARE(L.A.2)DEPARTMENT

G.O.Rt.No. 196

Dated: 25 -02-2010
Read the following:-

- (i) From the District Collector, Nizamabad Lr.No.G2/199/2009, dt:27/2/09.
- (ii) From the Commissioner of Social Welfare, Hyderabad. Lr.L.A.2/2038/09 dt:30/5/09.
- (iii) From the Slp.C.S to Govt.&CCLA, Lr.No.G3/810/2009, dated :03/12/2009.

O R D E R

In the reference 3rd read above, the Special Chief Secretary to Government and Chief Commissioner of Land Administration, A.P, Hyderabad has stated that, the R.D.O., Nizamabd, has acquired the land to an extent of Acs. 11-31 ½ gts situated at Bheemgal (v&M) for providing house sites to the weaker section people and award was also passed vide Pro. No. B2/595/99, dt. 10/3/2000 by fixing the land value @ Rs. 32,000/- per acre and paid compensation. Aggrieved with the orders passed by the LAO/RDO, Nizamabad, the awardees have filed protest petition U/s 18 of L.A. Act for adjudication. As per the request of the awardees the LAO/RDO has referred the matter to the Civil Court for adjudication. The Hon'ble District Judge, Nizamabad passed the judgment and decree in O.P.No. 1198/2000 on dt. 10/3/2008 and enhanced the market value from Rs. 32,000/- p.a to Rs. 145/- Sq.yd. after deducting the 1/3rd of the total area from acquired lands towards developmental charges with admissible benefits of 30% Solatium and 12% additional market value and 9% interest for one year and thereafter 15% interest till realization of the amount on the three components ie., Market value, 30% Solatium, 12% AMV.

2. The Special Chief Secretary to Government and Chief Commissioner of Land Administration, AP., Hyderabad has also stated that the Government Pleader, Nizamabad has opined that it is a fit case to prefer an appeal before the Hon'ble High Court of AP., Hyderabad. Accordingly, as per the opinion of the Government Pleader, Nizamabad, an appeal was filed in the Hon'ble High Court of AP., which was numbered as A.S.No. 573/08. The Hon'ble High Court of AP., Hyderabad has granted stay on condition of depositing 50% decretal charges within (8) weeks from 16-12-2008. As per the High Court orders, the Collector, Nizamabad has submitted the calculation sheet for an amount of Rs. 79,18,026/- towards half of the decretal charges.

3. The CCLA, AP, Hyderabad after scrutiny of the proposal along with the calculation sheet furnished by the District collector, Nizamabad, has requested the Government for sanction an amount of Rs. 79,10,711/- (Rupees Seventy Nine lakhs ten thousand Seven hundred and Eleven only) towards payment of half of the decretal charges in respect of the land acquired to an extent of 38034.34 Sq Yds. at Bheemgal (V)&(M),Nizamabad, for providing house sites to the weaker sections people.

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4. After careful examination of the matter, Government hereby accord sanction to the Commissioner of Social Welfare, AP., Hyderabad to release an amount of Rs. 79,10,711/- (Rupees Seventy Nine lakhs ten thousand Seven hundred and Eleven only) to the District Collector, Nizamabad towards payment of half of the decretal charges as per the orders of Hon'ble High Court of A.P. in LAASMP NO.1520/2008 in LAAS NO. 573/08, dt.16-12-2008 in O.P.No. 1198/2000 in respect of the land acquired to an extent of 38034.34 Sq.Yds of Sy.Nos. 393 situated at Bheemgal (V&M), Nizamabad District for providing house sites to the weaker section's people.

5. The amount of expenditure sanctioned in para (4) above, shall be met within the BE 2009-10 and debited to the following Head of account:

"2225 – Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes – 01 – Welfare of Scheduled Castes – M.H. 283 – Housing – GH.11 – Normal State Plan – SH (08) Acquisition of House sites to weaker section's under Indiramma Programme – 310/312 – Other grants-in-aid"

6. The Commissioner of Social Welfare, AP., Hyderabad is directed to issue necessary proceedings to the Collector, Nizamabad District for payment of compensation in order to comply with the Court orders.

7. The Collector, Nizamabad District, shall verify the calculation sheet submitted by the Land Acquisition Officer once again, before issue of proceedings for releasing the amount. If any discrepancy/ excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

8. This order does not require the concurrence of Finance (Expr. SW) Department, as per the instructions issued by the Finance Department vide U.O.Note No. 12869/196/A1/Expr.SW/2009, dated 22/5/2009 and Finance Dept., U.O.No. 15926/256/A1/Expr.SW/2009, dated 17/8/2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V.NAGI REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Special Chief Secretary to Government and Chief Commissioner of Land Administration, AP., Hyderabad.
The Commissioner of Social Welfare, AP., Hyderabad.
The District Collector, Nizamabad
Copy to:
The Director of Treasuries & Accounts, AP., Hyderabad.
The Accountant General, AP., Hyderabad.
The District Treasury Officer, Nizamabad District.
SF/SC.

//Forwarded by Order//

SECTION OFFICER